

FORM PTO 1390 (REV 5-93) US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER 2006_1644A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/594,899
International Application No. PCT/JP2005/006167	International Filing Date March 30, 2005	Priority Date Claimed March 31, 2004
<b>Title of Invention</b> <u>IMMATURE UNIALGAL CULTURE STRAIN</u>		
<b>Applicant(s) For DO/EO/US</b> Hirotaka KAKITA et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. §371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19.</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).</li> </ol>		
<b>Items 11. to 14. below concern other document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <b>ATTACHMENT H</b></li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.           <ol style="list-style-type: none"> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> </ol> </li> <li>14. <input type="checkbox"/> Other items or information:</li> </ol>		

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

U.S. APPLICATION NO. (If Int'l. see 37 CFR 1.58) 10/594,899	INTERNATIONAL APPLICATION NO. PCT/JP2005/006167	ATTORNEY'S DOCKET NO. 2006_1644A
15. <input type="checkbox"/> The following fees are submitted		CALCULATIONS PTO USE ONLY
Basic National Stage Fee ..... National Stage Search Fee (International Search Report provided - 37 CFR 1.492(b)(2)) ..... National Stage Examination Fee ..... Specification/drawings in excess of 100 pages ( units of 50 x \$250.00) = .....		\$300.00 \$400.00 \$200.00 \$
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$
Claims	Number Filed	Number Extra
Total Claims	- 20 =	X \$50.00
Independent Claims	- 3 =	X \$200.00
Multiple dependent claim(s) (if applicable)		+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$
<input type="checkbox"/> Small Entity Status is hereby asserted. Above fees are reduced by 1/2.		\$
<b>SUBTOTAL =</b>		\$
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$
<b>TOTAL NATIONAL FEE =</b>		\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$
<b>TOTAL FEES ENCLOSED =</b>		\$
		Amount to be refunded \$
		Amount to be charged \$
<p>a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed. A duplicate copy of this form is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 23-0975 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u>.</p>		
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>		
19. CORRESPONDENCE ADDRESS  CUSTOMER NO. <b>000513</b>		<p>By: <u>Matthew M. Jacob</u> Matthew M. Jacob, Registration No. 25,154</p> <p>WENDEROTH, LIND &amp; PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250</p> <p>October 31, 2006</p>

[CHECK NO.]

[2006\_1644A]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Hirotaka KAKITA et al. : **Mail Stop: PCT**

Serial No. 10/594,899 : Attorney Docket No. 2006\_1644A

Filed September 29, 2006 :

IMMATURE UNIALGAL CULTURE :

STRAIN

[Corresponding to PCT/JP2005/006167

Filed March 30, 2005]

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- each U.S. Patent and U.S. Patent application publication;
- each reference previously cited in the international application PCT/\_\_\_\_\_; and/or
- each reference previously cited in prior parent application Serial No. \_\_\_\_\_.

1a.  This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b.  This Information Disclosure Statement is submitted after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

- (1)  the certification of paragraph 2 below is provided, **or**
- (2)  the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c.  This Information Disclosure Statement is submitted: after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

- a.  that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b.  that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3.  Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
  - a.  a full or partial English language translation submitted herewith,
  - b.  an International Search Report (in the English language) submitted herewith,
  - c.  the concise explanation contained in the specification of the present application at pages 1, 3 and 4,
  - d.  the concise explanation set forth in the attached English language abstract,
  - e.  the concise explanation set forth below or on a separate sheet attached to the reference:
5.  An International Search Report citing one or more of the references is enclosed.

Respectfully submitted,

Hirotaka KAKITA et al.

By   
Matthew M. Jacob  
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Attorney for Applicants

MJ/fs  
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October 31, 2006

## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			ATTY DOCKET NO. 2006_1644A	SERIAL NO. 10/594,899			
			APPLICANT Hirotaka KAKITA et al.				
Date Submitted to PTO: October 31, 2006			FILING DATE September 29, 2006	GROUP			
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AC	2000-254685	09/00	JP			Abstract
	AD	11-289894	10/99	JP			Abstract
	AE	2004-097003	04/04	JP			Abstract
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AF	Hirotaka KAKITA et al., "Ogata Kaiso Tsurushiramo no Seicho eno Muroto Kaiyo Shinsosui no Eikyo (The effect of Muroto Deep Sea Water on the Growth of the Red Alga, Gracilaria chorda (Holmes), from Shikoku Island)", Bulletin of the Society of Sea Water Science, Japan, 01 August, 2000, Vol. 54, No. 4, pages 310 to 315.					
	AG	Edited by Ryuta TERADA et al., "Ogonori no Riyo to Tenbo (Gracilaria (Rhodophyta) Utilization and Prospect)", first edition, Koseisha Koseikaku, 10 October, 2001, pages 27, 30-31, 33, 48, 101-104.					
	AH	Hirotaka KAKITA et al., "Muroto Kaiyo Shinsosui no Tokusei Haaku oyobi Kino Kaimei (Understanding of Characteristics and Analysis of Function of Muroto Deep Sea Water)", Heisei 10 12 Nendo Kagaku Gijutsu Sogo Kenkyu Itakuhi, Chiiki Sendo Kenkyu, Kenkyu Seika Hokokusho, Zaidan Hojin Kochi-ken Sangyo Shinko Center, 2001.3, pages 176-192					
	AL	Hirotaka KAKITA et al., "Akamo Tshurushiramo Tanso Baiyokabu no Aldolase Kassei", Nippon Nogei Kagaku Kaishi, (2001 Nendo Taikai Koen Yoshishu), 05 March, 2001, Vol. 75, special extra issue, page 180 (2Rsa4).					
	AJ	Tokuda, H. et al., "Cultivation Studies on Marine Alga Resources (Kaiso Shigen Yoshoku-gaku in Japanese)", Midori Shobo, 1987, p. 35-66.					
	AK	"Food Processing and Ingredients (Shokuhin Kaihatsu in Japanese)", 1984, vol. 19, p. 43-48.					
	AL	"Kaiyo Monthly", 1995, vol. 27, p. 13-21.					
	AM	"Kaiyo Monthly", 1995, vol. 27, p. 34-39.					
	AN	"Hydrobiologia", 1993, vol. 260/261, p.541-547.					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.